

**THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

PHILIP ANGUS,

on behalf of himself and all others  
similarly situated,

Plaintiff,

vs.

FLAGSTAR BANK, FSB,  
a Michigan-based federally chartered  
stock savings bank,

Defendant.

Case No.: 4:22-cv-11385-SDK-KGA

Hon. Shalina D. Kumar

**COUSINO PLAINTIFFS’ RESPONSE TO MOTION TO SET BRIEFING  
SCHEDULE FOR MOTIONS TO APPOINT INTERIM LEAD COUNSEL**

Plaintiffs in *Cousino v. Flagstar Bank, FSB*, No. 2:22-cv-11619-VAR-KGA (“*Cousino* Plaintiffs”) hereby respond to Plaintiff Philip Angus’s Motion to Set Briefing Schedule for Motions to Appoint Interim Lead Counsel (“Motion”) (ECF No. 16).

The *Cousino* Plaintiffs reiterate that they do not oppose consolidation with this action. *See* ECF No. 15, *Cousino* Plaintiffs’ Response to Fifth Motion to Consolidate Cases. However, the relief sought by Plaintiff Angus is premature at this juncture, as this Court has not yet entered an order consolidating all related

matters. Moreover, the *Cousino* Plaintiffs were not informed of Plaintiff Angus's Motion and, as a result, only recently learned of the relief sought therein. Therefore, if this Court is inclined to permit motions to appoint interim lead counsel at this time, Plaintiffs respectfully request that any deadline be set to, at the very least, **October 28, 2022**, to ensure that all interested parties have a sufficient opportunity to consider and submit such motions to this Court. The *Cousino* Plaintiffs further request that the page limit for any brief in support of a motion for the appointment of interim lead counsel remain at 25 pages, in accordance with Eastern District of Michigan Local Rule 7.1(d)(3)(A).

Dated: October 4, 2022

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 4, 2022, I electronically filed the foregoing document with the Clerk of the Court using the ECF system which will send notification of such filing to the attorneys of record.

*/s/ E. Powell Miller*

E. Powell Miller